

MINUTES OF  
EUREKA CITY COUNCIL  
EUREKA REDEVELOPMENT AGENCY

MAY 4, 2006

The City Council/Redevelopment Agency of the City of Eureka met in REGULAR Session on the above date, 6:30 p.m. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR LA VALLEE

PRESENT: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN

ABSENT: JONES

MINUTES PREPARED BY:

COUNCIL APPROVAL ACKNOWLEDGED:

---

Kathleen L. Franco Simmons  
City Clerk

---

Peter La Vallee  
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Public hearing - Unmet Transit Needs.

ACTION:

Finance Office Manager Sanna Wood provided a report. The public hearing to receive public comment regarding unmet transit needs within Eureka city limits was opened at 6:36 p.m. The following individuals addressed the Council regarding this matter:

Gene Senestraro, stated that he drives shuttle at St. Joseph's Hospital and that the transit buses to the hospital were discontinued several months ago, creating some problems. He stated that the bus route has been reinstated, but that he couldn't understand why it was discontinued for the purpose of saving about five minutes on their schedule, as it disenfranchised an awful lot of people that use it at the hospital.

Chris Martinek, planner for Area Agency on Aging, provided statistics regarding the numbers and percentages of seniors and adults with disabilities in Humboldt County. She stated that the expansion of Dial-a-Ride services to Humboldt Hill, Old Arcata Road, Manila, Samoa and Fields Landing was greatly needed, but that there continues to be areas that are not served. She stated that the Area Agency's Advisory Council, and the Advisory Council assesses the needs of Humboldt and Del Norte County seniors every four years. She stated that last year they found that the primary needs for transportation included a need for public transportation to serve the more rural and remote areas, that there is a lack of transportation in towns in the rural areas, that there is a need for assistance for impaired adults with disabilities when using public transportation, that there is a lack of knowledge of how to use the bus system, that there is a need for a more cohesive system of public transportation, and there is an expressed difficulty of transferring between city and county buses. She stated that bus stops are known to be dirty and in need of regular cleaning, that there is a need for an increase in the number of bus routes, and a need for more accessible public transportation. She stated that public transportation is often seen to be unsuitable due to the waiting times, as well as the lack of benches for those who are unable to stand, and she is concerned for individuals who are unable to walk the distances to the bus-stops.

Howard Rien, Eureka, stated that some seniors would like to attend council meetings, but are not able to because the bus service is not available at those times, or as late as the meetings last. He also expressed needs for transportation from Willow Creek into Eureka for seniors to go to their doctors.

Agenda Item 2

MINUTE ORDER, MAY 4, 2006  
ITEM: 2  
PAGE: 2

The public hearing was closed at 6:43 p.m.

By consensus, Council provided direction staff to forward a transcript of comments to the Humboldt County Association of Governments (HCAOG) for inclusion in the 2006-07 Unmet Needs Report of Findings.

STATE OF CALIFORNIA     )  
County of Humboldt        ) ss.  
City of Eureka             )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept.     Finance Director

Agenda Item 2

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Public comment period

ACTION:

The following individuals addressed the council at this time:

Daniel Pierce, spoke regarding methane gas from the landfill. He presented the city with an antique "Eureka" glass bottle. He also submitted digital photos of the Samoa bridge and a Wiyot shell mound, and a copy of Eureka history relating to massacre of local Native Americans.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept.

Agenda Item 3

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Agenda Item pulled

ACTION:

Mayor La Vallee announced that Item 9 was pulled prior to the meeting and would not be heard at this meeting.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Council meeting minutes.

ACTION:

Council approved the regular Council/Agency meeting minutes of April 18, 2006 and the special meeting minutes of April 13, 2006 as submitted.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN  
NOES: NONE  
ABSENT: JONES  
ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. City Clerk

Agenda Item 4

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Claim for damages of Dinsmore, Steve.

ACTION:

Council rejected the claim of Dinsmore, Steve.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN  
NOES: NONE  
ABSENT: JONES  
ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. City Attorney

Agenda Item 5

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Resolution adopting the National Incident Management System (NIMS).

ACTION:

Council approved and adopted Resolution No. 2006-27 adopting the National Incident Management System (NIMS) as required by the Homeland Security Directive #5; and directed staff to develop a NIMS Training Implementation Plan.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN

NOES: NONE

ABSENT: JONES

ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. Fire Chief

Agenda Item 6



CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: City Hall Boiler Room and Penthouse Asbestos Removal Project – Bid No. 2006-18

ACTION:

Council awarded Bid No. 2006-18 to lowest responsive bidder, North Coast Environmental Construction, Inc., in the amount of \$10,500 and approve a 10% contingency in the amount of \$1,500.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN

NOES: NONE

ABSENT: JONES

ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. Assistant City Manager-Operations

Agenda Item 7

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Extension of Provisional Appointments.

ACTION:

Council approved by four-fifths vote to extend the period of two provisional appointments currently filling Police Records Specialist position #4 by an additional sixty (60) days and position #1 by an additional ninety (90) days.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN

NOES: NONE

ABSENT: JONES

ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. Police Chief

Agenda Item 8

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Fisherman's Terminal Mitigation- Truesdale Pile Removal – Award of Construction Contract.

ACTION:

This item was pulled prior to the meeting and not discussed at this meeting.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. City Engineer

Agenda Item 9

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Mad River Pipeline - North Arcata Section - Bid No. 2006-06.

ACTION:

Council authorized staff to prepare and execute an agreement for construction staking, soils testing, construction inspection, and engineering services during construction for the Mad River Pipeline - North Arcata Section project, Bid No. 2006-06, with Oscar Larson and Associates of Eureka, CA for an amount not to exceed \$167,000.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN

NOES: NONE

ABSENT: JONES

ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. City Engineer

Agenda Item 10

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Humboldt Sponsors Grant Award.

ACTION:

Council accepted \$3,500 in grant awards from the Humboldt Sponsors Organization in support of the Recreation Division's 2006 Summer Programs for Youth.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN  
NOES: NONE  
ABSENT: JONES  
ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. Assistant City Manager - Operations

Agenda Item 11

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Telecommunications Resolution.

ACTION:

Council adopted Resolution No. 2006-28 addressing vital community interests in the telecommunications services industry.

Adopted on motion by Councilmember WOLFORD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN  
NOES: NONE  
ABSENT: JONES  
ABSTAIN: NONE

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. City Manager

Agenda Item 12

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Utility Users Tax.

ACTION:

City Manager David Tyson provided a report. The following individuals addressed the council regarding this subject matter:

Ed Davenport

Fred Nelson, Eureka

Gene Senestraro, President Humboldt Taxpayers' League

Howard Rien, Director-Humboldt Taxpayers' League

Without objection, Council provided general direction to staff with regard to the need to receive further information at the next meeting regarding caps on seniors and businesses, inclusion of a low-income rate, and Taxpayers' League communications.

STATE OF CALIFORNIA    )  
County of Humboldt       ) ss.  
City of Eureka            )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept.

Agenda Item 13

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: City Manager/Executive Director's reports

ACTION:

City Manager Tyson provided information regarding the following:

- AB 1234 training for elected officials, June 12, at Fortuna River Lodge
- July 4<sup>th</sup> is on a Council meeting Tuesday
- Police Chief recruitment
- Marina Center update meeting, Wednesday, May 24 at 6:30 p.m.
- League of California Cities Conference, May 17 - 18
- Emergency Management Training in Emmitsburg

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA )  
County of Humboldt ) ss.  
City of Eureka )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK

Originating Dept. City Manager



CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 4, 2006.

SUBJECT: Adjournment

ACTION:

On motion by Councilmember KERRIGAN, seconded by Councilmember BASS-JACKSON, and without objection, the meeting was adjourned at 7:28 p.m.

STATE OF CALIFORNIA     )  
County of Humboldt        ) ss.  
City of Eureka             )

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the City of Eureka on May 5, 2006.

---

KATHLEEN L. FRANCO SIMMONS  
CITY CLERK